

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No. 24-12343-PMM
Robert Amen McKelvy	:	Chapter 13
<i>Debtor</i>	:	
	:	
UMB Bank, National Association, not in its	:	
individual capacity, but solely as legal title trustee	:	
for LVS Title Trust XIII	:	
<i>Movant</i>	:	
vs.	:	
Robert Amen McKelvy	:	
<i>Debtor/Respondent</i>	:	
and	:	
Kenneth E. West, Esquire	:	
<i>Trustee/Respondent</i>	:	

OBJECTION TO CONFIRMATION OF THE PLAN

UMB Bank, National Association, not in its individual capacity, but solely as legal title trustee for LVS Title Trust XIII (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Robert Amen McKelvy (“Debtor”), as follows:

1. As of the bankruptcy filing date of July 08, 2024, Movant holds a secured Claim against the Debtor’s property located at 1411 E. Cardeza Street, Philadelphia, PA 19150.
2. Movant is in the process of filing a Proof of Claim by the 09/16/2024 bar date, with an estimated secured claim in the amount of \$231,078.28, and estimated pre-petition arrears in the amount of \$86,593.80.
3. The Plan currently proposes payment to Movant in the amount of \$60,136.63 for pre-petition arrears.
4. The Plan fails to cure the delinquency pursuant to 11 U.S.C. § 1322(b)(5).
5. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Respectfully submitted,

Dated: 07/23/2024

/s/Danielle Boyle-Ebersole
Danielle Boyle-Ebersole, Esquire
Attorney I.D. # 81747
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<i>Movant</i>	:
vs.	:
Robert Amen McKelvy	:
<i>Debtor/Respondent</i>	:
and	:
Kenneth E. West, Esquire	:
<i>Trustee/Respondent</i>	:

**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Danielle Boyle-Ebersole, Esquire, attorney for UMB Bank, National Association, not in its individual capacity, but solely as legal title trustee for LVS Title Trust XIII (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 07/23/2024:

Michael A. Cibik, Esquire
Via Electronic Filing
Attorney for Debtor

Kenneth E. West, Esquire
Via Electronic Filing
Trustee

Robert Amen McKelvy
1411 E. Cardeza Street
Philadelphia, PA 19150
Via First Class Mail
Debtor

Respectfully Submitted,

Date: 07/23/2024

/s/Danielle Boyle-Ebersole
Danielle Boyle-Ebersole, Esquire
Attorney I.D. # 81747
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